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HOUSE BILL 502

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Andrew J. Barreras

FOR THE ECONOMIC AND RURAL DEVELOPMENT COMMITTEE
AND THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE

AN ACT

RELATING TO EXECUTIVE REORGANIZATION; REQUIRING A PERIODIC
EVALUATION OF THE NEED FOR EXECUTIVE REORGANIZATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 9-1-1 NMSA 1978 (being Laws 1977,
Chapter 248, Section 1) is amended to read:

"9-1-1. SHORT TITLE.--~~[This act]~~ Chapter 9, Article 1
NMSA 1978 may be cited as the "Executive Reorganization Act"."

Section 2. Section 9-1-9 NMSA 1978 (being Laws 1977,
Chapter 248, Section 9) is amended to read:

"9-1-9. CREATION OF ADVISORY COMMITTEES--WHO MAY CREATE--
FILING--APPLICATIONS--COMPOSITION--LIFE SPAN--TITLE--QUORUM--
COMPENSATION.--"

A. Advisory committees may be created. "Advisory"
~~[shall mean]~~ means furnishing advice, gathering information,

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1 making recommendations and performing such other activities as
2 may be instructed or delegated and as may be necessary to
3 fulfill advisory functions or to comply with federal or private
4 funding requirements and [~~shall~~] does not extend to
5 administering a program or function or setting policy unless
6 specified by law.

7 B. The governor or a department secretary, with
8 approval of the governor, may create advisory committees.

9 C. Each creating authority must file with the
10 governor and the secretary of finance and administration a
11 record of the advisory committee created, showing the
12 committee's:

13 (1) name;

14 (2) composition;

15 (3) appointed members' names and addresses;

16 and

17 (4) purpose and term of existence.

18 D. The secretary of each department created by the
19 Executive Reorganization Act shall, upon the effective date of
20 the Executive Reorganization Act, file a record of each
21 advisory committee within the department not abolished. Upon
22 the filing of such a record, the provisions of this section
23 shall apply to each such advisory committee.

24 E. The creating authority shall prescribe the
25 composition and functions of each advisory committee created,

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1 appoint its members who shall serve at the pleasure of the
2 creating authority and specify a date when the existence of
3 each advisory committee ends.

4 F. No advisory committee may be created to remain
5 in existence longer than two years after the date of its
6 creation or beyond the period required to receive federal or
7 private funds, whichever occurs later, unless extended by
8 executive order of the governor. If the existence of an
9 advisory committee is extended, the extension shall not be for
10 more than two years.

11 G. Each advisory committee created under this
12 section shall be known as the " _____
13 advisory committee".

14 H. A majority of the membership of an advisory
15 committee [~~shall constitute~~] constitutes a quorum.

16 I. Each member of an advisory committee may receive
17 compensation for travel and per diem expenses incurred in the
18 performance of [~~their~~] the member's duties within budgeted
19 amounts and in accordance with the provisions of the Per Diem
20 and Mileage Act.

21 J. At least once every ten years, the governor or
22 an appropriate department secretary, with approval of the
23 governor, shall create an advisory committee to assess and make
24 recommendations on whether additional executive reorganization
25 is needed. The first advisory committee with these duties

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shall be created no later than 2012."

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